

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on February 20, 2020, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: February 20, 2020




ARTHUR I. HARRIS
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

| | | |
|------------------------|---|------------------------|
| In re: |) | Chapter 7 |
| |) | |
| CARLOS E. RIVERA, JR., |) | Case No. 19-41632 |
| Debtor. |) | |
| |) | Judge Arthur I. Harris |
| |) | |
| PATRICIA GARCAR, |) | |
| Plaintiff. |) | Adversary Proceeding |
| |) | No. 19-4042 |
| v. |) | |
| |) | |
| CARLOS E. RIVERA, JR., |) | PRETRIAL MINUTES AND |
| Defendant. |) | TRIAL SCHEDULING |
| |) | ORDER |

APPEARANCES BY: **J. Zomoida**, for plaintiff
B. Copeland, for defendant

The Court held a pretrial conference on February 12, 2020. The plaintiff's attorney orally withdrew the request for a jury trial. In order to secure the just, speedy, and inexpensive determination of this matter, the parties are directed to

comply with the following deadlines and instructions, which supersede any prior deadlines or instructions issued by the Court:

(1) INITIAL DISCLOSURES. The Court has determined that compliance with the requirements of Fed. R. Civ. P. 26(a)(1) in this proceeding is not necessary.

(2) DISCLOSURE OF EXPERTS. No later than **March 18, 2020**, any party intending to present expert testimony shall comply with the disclosure requirements of Fed. R. Civ. P. 26(a)(2), made applicable to this matter under Bankruptcy Rules 7026 and 9014.

(3) DISCOVERY. All discovery, including depositions of fact and expert witnesses, shall be completed on or before **April 17, 2020**.

(4) DISPOSITIVE MOTIONS. The deadline for filing dispositive motions is **May 18, 2020**. Briefs in opposition are due **June 8, 2020**. Optional reply briefs are due **June 22, 2020**. No other briefs may be filed without leave of the Court.

(5) FINAL PRETRIAL CONFERENCE. A final pretrial conference will be held only if a party requests it. Any party desiring a final pretrial conference shall be responsible for conferring with the remaining counsel and contacting the Courtroom Deputy, Ms. Stephanie Zelman-Thanasiu, [(216) 615-4402] to schedule a final pretrial conference.

(6) TRIAL. Trial is scheduled to begin on at **1:00 P.M. on September 16, 2020**, at the Nathaniel R. Jones Federal Building & U.S. Courthouse, Third Floor Courtroom, 10 East Commerce Street, Youngstown, Ohio 44503.

(7) ADDITIONAL TRIAL-RELATED FILING REQUIREMENTS.

(A) STIPULATIONS OF FACT. On or before **September 9, 2020**, the parties are to file Stipulations of Fact or, in the alternative, a Joint Statement that all material facts are disputed. In addition, the parties may agree to have the matter resolved solely on the basis of their Stipulations of Fact without a trial. If this is the case, the parties should so indicate in the Stipulations of Fact, which should be submitted no later than **September 9, 2020**.

(B) WITNESS LISTS. On or before **September 9, 2020**, each party shall file and serve a witness list, including the name of each individual the party intends to call as a witness, together with a statement of the issues about which the witness is expected to testify. Witnesses who are not properly listed will not normally be permitted to testify at trial. This paragraph does not apply to witnesses called solely for impeachment or rebuttal.

(C) TRIAL BRIEFS. On or before **September 9, 2020**, each party shall file and serve a trial brief that includes: a synopsis of the facts upon which the party intends to prove its claim or defense; specific citations of statutes, case law, or

other legal authorities upon which the party relies; and a discussion of any anticipated evidentiary issues.

(D) EXHIBIT LISTS. On or before **September 9, 2020**, the parties shall file and serve a list of each party's exhibits, as well as any Joint Exhibits. Exhibits that are not disclosed will not normally be admitted into evidence at trial. This paragraph does not apply to exhibits offered solely for impeachment or rebuttal.

(E) EXHIBITS. On or before **September 9, 2020**, the parties shall deliver to chambers, but not file, three complete sets of exhibits and serve a complete set of exhibits on opposing counsel. Plaintiff's exhibits shall be marked with numbers and defendant's exhibits shall be marked with letters. Where there are multiple plaintiffs or defendants, the exhibits shall be marked as ordered above, but with the surname of the particular plaintiff or defendant added (for example, "Pl. Smith 1" or "Def. Jones A"). Counsel for all parties should ensure that names of minors, birth dates, social security numbers, taxpayer-identification numbers, and account numbers are appropriately redacted pursuant to Bankruptcy Rule 9037.

If any date indicated above creates a scheduling conflict, any party with such a conflict shall be responsible for conferring with the remaining counsel and the clerk's office [(330) 742-0906] no later than **March 20, 2020**, to schedule an acceptable alternate date.

This Order shall not be modified except by leave of Court upon good cause shown. Failure to comply with this Order may result in dismissal of the action, default judgment, assessment of costs and attorney fees, and other appropriate sanctions.

IT IS SO ORDERED.